

**UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et
al.*,

Debtors.¹

PROMESA
Title III

No. 17 BK 3283-LTS

Re: ECF No. 23525

(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO ELECTRIC POWER AUTHORITY,

Debtor.

PROMESA
Title III

No. 17 BK 4780-LTS

Re: ECF No. 3212

(Jointly Administered)

**JOINDER OF THE PUERTO RICO FISCAL AGENCY AND FINANCIAL ADVISORY
AUTHORITY TO THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR
PUERTO RICO'S RESPONSE TO INFORMATIVE MOTION OF THE AD HOC
GROUP OF PREPA BONDHOLDERS, ASSURED GUARANTY CORP., ASSURED
GUARANTY MUNICIPAL CORP., AND SYNCORA GUARANTEE, INC.
CONCERNING THE GOVERNMENT PARTIES' REFUSAL TO COMMENCE PLAN
DISCOVERY [ECF NO. 3248]**

¹ The Debtors in these Title III cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474), (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747), and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523 (LTS)) (Last Four Digits of Federal Tax ID: 3801).

To the Honorable United States District Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) respectfully joins the *Response to Informative Motion of the Ad Hoc Group of PREPA Bondholders, Assured Guaranty Corp., Assured Guaranty Municipal Corp., and Syncora Guarantee, Inc. Concerning the Government Parties’ Refusal to Commence Plan Discovery* [ECF No. 3248] (the “FOMB Response”).² In support, AAFAF respectfully states as follows:

1. There will be a time and place to bring discovery disputes before the Court if the Disclosure Statement is approved and the Plan moves forward, because a coordinated schedule and parameters around discovery will be set. Movants’ Informative Motion is a ham-handed effort to take a cheap shot at the Oversight Board and AAFAF for choosing to act within those to-be-ordered parameters rather than engage in *ad hoc*, disorganized discovery.

2. The Movants have no basis for insisting on Plan discovery directed at AAFAF outside of coordinated, global procedures and before a disclosure statement is approved. The Oversight Board has proposed a Plan discovery schedule and procedures that are consistent with prior practice and with this Court’s desire for a July 2023 confirmation hearing. AAFAF agrees that Plan discovery should proceed through an efficient, streamlined process.

3. As Plan discovery unfolds, AAFAF will appropriately respond to reasonable requests while protecting all applicable privileges.

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² All ECF numbers refer to docket entries in case number 17-BK-4780-LTS. Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the FOMB Response.

Dated: February 23, 2023
San Juan, Puerto Rico

Respectfully submitted,

O'MELVENY & MYERS LLP

/s/ Peter Friedman

John J. Rapisardi
Maria J. DiConza
(Admitted *Pro Hac Vice*)
7 Times Square
New York, NY 10036
Telephone: (212) 326-2000
Facsimile: (212) 326-2061
Email: jrapisardi@omm.com
mdiconza@omm.com

-and-

Peter Friedman
(Admitted *Pro Hac Vice*)
1625 Eye Street, NW
Washington, DC 20006
Telephone: (202) 383-5300
Facsimile: (202) 383-5414
Email: pfriedman@omm.com

-and-

Elizabeth L. McKeen
Ashley M. Pavel
(Admitted *Pro Hac Vice*)
610 Newport Center Drive, 17th Floor
Newport Beach, CA 92660
Telephone: (949) 823-6900
Facsimile: (949) 823-6994
Email: emckeen@omm.com
apavel@omm.com

*Attorneys for the Puerto Rico Fiscal Agency
and Financial Advisory Authority*

MARINI PIETRANTONI MUÑIZ LLC

/s/ Luis C. Marini-Biaggi

Luis C. Marini-Biaggi
USDC No. 222301
Carolina Velaz-Rivero
USDC No. 300913
250 Ponce de León Ave., Suite 900
San Juan, Puerto Rico 00918
Telephone: (787) 705-2171
Facsimile: (787) 936-7494

*Attorneys for the Puerto Rico Fiscal Agency
and Financial Advisory Authority*